

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.23964 of 2022

Tapeswar Bhaisal

....

Petitioner

*Mr. D. Panigrahi,
Advocate*

-versus-

State of Odisha & others

....

Opp. Parties

*Mr. S.S. Pradhan,
Additional Government Advocate*

**CORAM:
JUSTICE BISWAJIT MOHANTY
JUSTICE SAVITRI RATHO**

ORDER

20.10.2022

Order No.

01. 1. On oral prayer, Mr. Panigrahi, learned counsel for the petitioner is permitted to incorporate the Land Acquisition case number in the cause title as well as in para-1 of the writ petition in Court today.
2. Heard Mr. D. Panigrahi, learned counsel for the petitioner and Mr. S.S. Pradhan, learned Additional Government Advocate.
3. Mr. Panigrahi, submits that though in connection with the acquisition of land, the late father of the petitioner was noticed by the Estate Manager, Dulanga Coal Mines Project (opposite party No.3) vide Annexure-2 series to receive compensation and though said compensation was quantified by the authorities at Rs.11,353,00/- as per Annexure-3 however, according to him, they are entitled to much more compensation as their case should have been calculated under Category-I which has not been done in this case. According to him, in the case of the petitioner, the calculation has been made taking him to be covered under category-V. In this connection, he submits that

though the petitioner has filed a representation before the Land Acquisition Officer, Hemgiri (opposite party No.4) under Annexure-4 for redressal of his grievances and though receipt of the same was duly acknowledged by his office on 26.11.2021 but till date nothing has been done in the matter. In such background, he prays that that a direction be issued to the Land Acquisition Officer, Hemgiri to take a decision on the above noted representation of the petitioner within a specific time period.

4. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs the Land Acquisition Officer, Hemgiri (opposite party No.4) to take a decision on the above noted representation of the petitioner under Annexure-4 in accordance with law within a period of three months from the date of receipt of certified copy of this order, if in the meantime, the same has not been disposed of and communicate the result of such exercise to the petitioner. The petitioner is further directed to supply a copy of the representation under Annexure-4 to opposite party no.4 while presenting a certified copy of this order.

5. Accordingly, this writ petition is disposed of.

6. Urgent certified copy of this order be granted on proper application in course of the day.

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge

Prasant